



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
290 BROADWAY  
NEW YORK, NEW YORK 10007-1866

May 22, 2014

BY ELECTRONIC MAIL

Robert Law, Ph.D.  
CPG Project Coordinator  
de maximis, inc.  
186 Center Street  
Suite 290  
Clinton, NJ 08809

Re: Administrative Settlement Agreement and Order on Consent for Removal Action  
Long Term Monitoring Plan  
EPA Region 2 CERCLA Docket No. 02-2012-2015

Dear Dr. Law:

The U.S. Environmental Protection Agency (EPA) is in receipt of the Cooperating Parties Group's (CPG) letter dated May 15, 2014 regarding the Long Term Monitoring Plan (LTMP) at River Mile 10.9. Given that we have already exchanged views on the required elements of the LTMP and that the CPG does not accept or agree with at least some of the EPA's comments and responses to CPG comments, we will consider your letter as invoking dispute resolution under the Administrative Settlement Agreement and Order on Consent for Removal Action (Removal Agreement), with respect to the EPA's May 1, 2014 email directing the Settling Parties to submit the LTMP by June 2, 2014 according to the directions provided in the email attachment.

Your May 15, 2014 letter refers to the CPG's March 31, 2014 comments as the basis for objecting to EPA's post-construction monitoring requirements. Since the EPA has already addressed the March 31 comments in the May 1, 2014 email, and your letter suggests that the CPG does not object to all of the EPA's responses, please provide a more specific written statement detailing the concerns that the CPG believes have not been adequately addressed.

When we have received the written objections, the EPA will work with the Settling Parties to attempt to resolve the dispute, including scheduling a meeting.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer LaPoma", is written below the word "Sincerely,".

Jennifer LaPoma

cc: W. Mugdan, ERRD

E. Schaaf, ORC  
R. Basso, ERRD  
S. Flanagan, ORC  
P. Hick, ORC